

From: Marc Schafer
To: Microsoft ATR
Date: 12/18/01 9:14am
Subject: comments

Attached, please find my comments regarding the proposed settlement of the Microsoft anti-trust lawsuit.

Marc Schafer

Dear Sirs,

I am writing this letter to express my dissatisfaction with the proposed settlement against the Microsoft monopoly. I have worked in the software industry for 10 years now. Great strides have been taken in that time and Microsoft has made many contributions; however, they have used their power and control in the market to limit consumer choice.

They have taken advantage of their operating system monopoly to take over every area of application software seen as profitable. They do this by providing their own internal developers with the Applications Programming Interface (API) for the Windows operating system well before the public has access to it. Some parts of the API are never published at all.

Microsoft has also used bundling to great advantage. The anti-trust action started as a result of their unfair competitive practices used against Netscape and the results can already be seen. Microsoft has used its monopoly in web browsers to begin modifying existing web standards into proprietary, undocumented extensions that render some web pages unviewable in Netscape. Many content creators using Microsoft tools are not even aware that they are using these extensions resulting in numerous pages on the web that simply don't work with anything but Microsoft tools.

Microsoft enjoys unrivaled market power and uses its wealth to maintain this dominance. Licensing agreements with computer vendors ensure that the discount for ordering a machine with Windows installed is almost nothing while the retail purchase price of the operating system is large. As a frequent linux user, I have also seen companies producing software for both operating systems get purchased by Microsoft and forsake their linux products within months afterwards.

Despite their numerous abuses, the current proposed settlement does nothing to improve the competitive situation. In fact, donations to schools will only cement Microsoft's position by training a new generation of computer users in a Microsoft only environment. The remedies against the monopoly must include the following:

1. Microsoft products must be listed as extra-cost options in the purchase of new computers, so that the user who does not wish to purchase them is not forced to do so. This means that for the price differential between a new computer with Microsoft software and one without, a computer seller must offer the software without the computer (which would prevent computer makers from saying that the difference in price is only a few dollars). Only then could competition come to exist in a meaningful way.
2. The specifications of Microsoft's present and future document file formats must be made public, so that documents created in Microsoft applications may be read by programs from other makers, on Microsoft's or other operating systems. This is in addition to opening the Windows application program interface (API, the set of "hooks" that allow other parties to write applications for Windows operating systems), which is already part of the proposed settlement.
3. Applications in markets where Microsoft enjoys a monopoly due to past anti-competitive behavior must be made available on non-Windows operating systems. For example, Internet Explorer should be ported to Linux/Unix along with the Microsoft Office Suite. Selling these products on other operating systems would generate revenue for the company yet they refuse to do it because it weakens their stranglehold on the market.
4. All Microsoft networking protocols must be published in full and approved by an independent network protocol body. This would prevent Microsoft from seizing de facto control of the Internet as they are trying to do right now by subverting Java and introducing extensions in their web server which are undocumented and work only with Internet Explorer.
5. Microsoft must make available for sale a "bare-bones" version of its operating system to prevent bundling. Although great arguments have gone on about what constitutes a "bare-bones" operating

MTC-00004739_0002

system, there are examples to work from. Linux, for example, still fits entirely on a single 1.4MB floppy disk.

6. Microsoft must be prevented from entering the hardware market. The introduction of the XBox clearly paves the way for a future for where Microsoft software will be the only choice and it will only work well on their own hardware.

Without these remedies there will be no other operating systems, web browsers, or office productivity suites. The United States is a world leader in technology for the digital age. It is time for Microsoft's control over the future of the entire industry to be broken so that other innovators may have their chance to shape the future.

Sincerely,
Marc Schafer

MTC-00004739_0003

01/18/2002 4:07 PM